Remarks

Amendments to the Claims

Claims 1, 11, 18, 21, 22 and 24 have been amended as indicated above. Specifically, each claim 1, 11, 18, 21, 22 and 24 has been amended to clarify the cooperative sequence of steps performed by the recited elements and limitations. Support for the amendments to claims 1, 11, 18, 21, 22 and 24 can be found at least in the Specification at page 6, line 8 to page 18, line 22, and Figures 3-6 of the Drawings, as respectively originally filed. No new matter has been introduced through the amendments to the claims.

Rejection of Claims under 35 U.S.C. § 102

Claim 22 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,914,676 ("Akpa").

The Applicant respectfully disagrees that claim 22, as amended, is anticipated by Akpa.

As a starting point, the PTO and the Federal Circuit provide that §102 anticipation requires **each and every element** of the claimed invention to be disclosed in a single prior art reference. (*In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990).) The corollary of this rule is that the absence from a cited §102 reference of any claimed element negates the anticipation. (*Kloster Speedsteel AB, et al v. Crucible, Inc., et al*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986).) Furthermore, "**[a]nticipation requires that all of the elements and limitations of the claims are found within a single prior art reference**." (*Scripps Clinic and Research Found. v Genetech. Inc.*, 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991 (emphasis added).) Moreover, the PTO and the Federal Circuit provide that §102 anticipation requires that there must be no difference

between the claimed invention and the reference disclosure. (*Scripps Clinic and Research Found. v. Genetech, Inc.,* id. (emphasis added).)

Accordingly, if the Applicant can demonstrate that any one element or limitation in claim 22 (as amended) is not disclosed by Akpa, then the claim must be allowed.

Claim 22

In regard to claim 22 (as amended), that claim includes the following features and limitations:

> A document processing apparatus, comprising:
>
> a single display;
>
> a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;
>
> an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;
>
> a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and to display the description on the display for a preselected time;
>
> [...],
>
> and wherein the processor is further configured to perform the association in response to the input point signal.
>
> (Emphasis added).

Akpa fails to provide a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to associate an ***input point signal*** from an input point with a ***corresponding description*** of the input point in a preselected one of the plurality of languages and to ***display the description*** on the display, and wherein the processor is further configured to perform the association ***in response to the input point signal***, as recited in combination with the other features and limitations of claim 22, as amended.

It is important to note that the elements and limitations recited by instant claim 22, as amended, are respectively and cooperatively configured to perform the following usage sequence, in order:

1) a user accesses (e.g., presses, actuates, etc.) an input point;

2) that input point generates an input point signal in response to being user accessed;

3) the processor associates that input point signal with a corresponding description; and

4) that corresponding description is displayed on the display.

Thus, under instant claim 22 (as amended), user access of a particular input point is ***required prior to*** the display of the corresponding description for that input point.

In contrast, Akpa provides for displaying changeable labels on each of a plurality of keys (32-42), wherein each key (32-42) includes a respective LCD screen (56) (Col. 2, lines 35-40 of Akpa). In the alternative, Akpa provides for a single "L"-shaped LCD screen (30) that underlies a switch panel defining an X-Y grid, wherein the LCD screen displays (i.e., simulates) a plurality of individually labeled "keys" (32-42) (Col. 3, lines 38-50; Fig. 2 of Akpa). In all cases and embodiments, Akpa is directed to *simultaneously displaying* all of the respectively changeable *key labels* to

the user - regardless of the currently selected display language, or how or when such language was selected - *prior to* the user actuation of any particular such key (Col. 1, lines 33-48; Col. 3, lines 50-65 of Akpa). This is not the same as the subject matter as recited by instant claim 22, as amended.

In any event, Akpa fails to provide at least a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and to display the description on the display, wherein such an input point signal originates from one of a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, and wherein the processor is further configured to perform the association in response to the input point signal, as positively recited in combination with the other features and limitations of instant claim 22, as amended. Thus, the Applicant asserts that the § 102 rejection of claim 22 is improper and should be withdrawn.

For at least the foregoing reasons, the Applicant asserts that claim 22, as amended, is allowable.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-4, 8, 11, and 18-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of JP11053941 ("Matsuda"). Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda, in further view of U.S. Patent No. 5,007,008 ("Beers"). Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda, in further view of U.S. Patent No. 5,768,142 ("Jacobs"). Claims 12-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda, in further view of U.S. Patent No. 6,507,352 ("Cohen").

Claim 17 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Matsuda and Cohen, and in further view of U.S. Patent No. 5,790,652 ("Gulley"). Claims 21 and 24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa, in view of U.S. Patent No. 6,108,200 ("Fullerton"). Claim 23 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Akpa in view of Gulley.

The Applicant respectfully disagrees that claims 1-5, 8, 10-21 and 23-24, as respectively amended, are unpatentable as respectively rejected under 35 U.S.C. § 103(a).

As a starting point, MPEP 706.02(j) states:

"[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the cited references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations**. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure." (Emphasis added.).

Claims 2-5, 8 and 10 depend from claim 1, as amended. Claims 12-17 depend from claim 11, as amended. Claims 19-20 depend from claim 18, as amended. Claim 23 depends from claim 22, as amended. It is axiomatic that any claim depending (directly or indirectly) from an allowable base claim is also allowable. Therefore, the Applicant provides the following arguments in support of the allowability of independent claims 1, 11, 18, 21 and 24, as respectively amended, as the Applicant does not believe it necessary to provide arguments in favor of each and every dependent claim.

The Applicant believes that claim 23 is allowable at least by virtue of its dependence from allowable independent claim 22, as amended, as well as for its own respectively patentable features and limitations.

Claim 1

The Applicant asserts that claim 1, as amended (and claims 2-5, 8 and 10 that depend therefrom), are allowable. In regard to claim 1, as amended, that claim includes the following features and limitations:

> A document processing apparatus comprising:
>
> a single display;
>
> a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;
>
> an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;
>
> a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and thereafter to display the description on the display for a preselected time, wherein the processor is further configured to perform the association in response to the input point signal; and
>
> an electronic timer in communication with the processor, the electronic timer configured to determine time duration.
>
> (Emphasis added.)

It is important to note that the elements and limitations recited by claim 1 are respectively and cooperatively configured so that the following usage sequence is performed, in order:

1) a user accesses a particular input point;

2) that input point generates a corresponding input point signal;

3) the processor associates that input point signal with a corresponding description; and

4) that description is displayed to the user.

Thus, under instant claim 1 (as amended), an assertive act is required on the part of the user, in conjunction with a particular input point, *prior to* (i.e., in order to trigger, or cause) the association and display of the corresponding description for that input point. In the interest of further understanding, the Examiner is respectfully referred to page 15, line 3 to page 18, line 22 of the Specification, and Figs. 5A-5B of the Drawings as respectively originally filed.

Akpa fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to ***associate an input point signal*** from an input point with a ***corresponding description*** of the input point in a preselected one of the plurality of languages and ***thereafter to display the description on the display*** for a preselected time, wherein the processor is further configured to perform the association ***in response to the input point signal***, as recited in combination with the other features and limitations of claim 1, as amended.

Rather, Akpa teaches that the language-changeable labels for all keys (32-42) are *simultaneously displayed* to a user *prior to* making any usage choice regarding, or access to, those keys (Col. 1, lines 33-48; Col. 3, lines 50-65 of Akpa). Put another way, Akpa is directed to ensuring that a user has the full informational benefit of all available key (32-42) labeling (in the presently selected language) prior

to making a usage choice of any one or more of those keys. This is not the same as the subject matter as recited by claim 1, as amended.

In any case, Akpa fails to teach or suggest a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and thereafter to display the description on the display for a preselected time, wherein the processor is further configured to perform the association in response to the input point signal, as positively recited by claim 1, as amended.

Matsuda fails to cure the deficiencies of Akpa. Specifically, Matsuda fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to ***associate an input point signal*** from an input point with a ***corresponding description*** of the input point in a preselected one of the plurality of languages and ***thereafter to display the description on the display*** for a preselected time, wherein the processor is further configured to perform the association ***in response to the input point signal***, as recited in combination with the other features and limitations of claim 1, as amended.

Rather, Matsuda is directed to a timer function for shutting down an electronic display within a portable telephone in the interest of battery conservation (Abstract of Matsuda). In any event, Matsuda fails to teach or suggest a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and thereafter to display the description on the display for a preselected time, wherein the processor is further configured to perform the association in response to the input point signal, as positively recited by claim 1, as amended.

There is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Matsuda, in order to arrive at the

subject matter as recited by claim 1, as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary elements and limitations of claim 1, as amended. In view of the foregoing deficiencies of Akpa and Matsuda, and in further view of the requirements recited by MPEP 706.02(j) and MPEP 2143.03, the § 103 rejection of claim 1, as amended, is unsupportable and should be withdrawn.

The Examiner is respectfully reminded of the duty to consider the subject matter of each claim as a whole, and not as a mere recitation of discrete and disarticulated elements and limitations (MPEP 2141.02, et seq.). For example, the user-accessible input points, the processor, and the display are respectively configured in both individual *and* cooperative aspects so as to perform as recited by claim 1, as amended. Thus, there is specific synergy to the subject matter recited by claim 1 (as amended) that is neither taught nor suggested by the prior art of record – whether these particular cited references be considered alone, or in any combination.

For at least the foregoing reasons, the Applicant asserts that claim 1, as amended, is allowable. It is axiomatic that any claim depending (directly or indirectly) from an allowable base claim is also allowable. Therefore, the Applicant asserts that claims 2-5, 8 and 10 are also allowable at least by virtue of their dependence (direct or indirect) from allowable independent claim 1 (as amended), as well for their own respectively patentable features and limitations.

Claim 11

The Applicant asserts that claim 11, as amended (and claims 12-17 that depend therefrom), are allowable. In regard to claim 11, as amended, that claim includes the following features and limitations:

A method for displaying local language descriptions of a plurality of user accessible input points of a document processing apparatus, comprising:

providing a single electronic display distinct from any of the plurality of user-accessible input points;

providing, on a machine readable medium and in the local language, a plurality of descriptions of user input points corresponding to the plurality of user accessible input points; and

in response to a user accessing an input point, determining a time duration of an input signal for the input point the user is accessing, and upon expiration of the time duration, accessing the local language description of the user input point which corresponds to the user input point, and thereafter displaying to the user the local language description of the user input point using the electronic display.

(Emphasis added).

Akpa fails to teach or suggest a method including, in response to a ***user accessing an input point***, determining a time duration of an input signal for the input point the user is accessing, ***and upon expiration of the time duration, accessing the local language description of the user input point which corresponds to the user input point***, and ***thereafter displaying*** to the user the ***local language description of the user input point*** using the electronic display, as recited in combination with the other features and limitations of claim 11, as amended.

Under claim 11 (as amended), a method is provided wherein the following steps are performed, in order: 1) a user accesses a user input point; 2) a local

language description corresponding to that user input point is then accessed, and 3) that description is displayed to the user. That is, user access of a user input point is required *prior to* (in order to initiate) displaying the corresponding description of that user input point to the user. Akpa fails to teach or suggest any method inclusive of the particular steps, executed in the particular order, as recited by claim 11, as amended. The Examiner is generally referred to the arguments provided above in regard to instant claim 1 and 22 with respect to the particular teachings of Akpa.

Matsuda fails to cure the deficiencies of Akpa. Specifically, Matsuda fails to teach or suggest any method including, in response to a ***user accessing an input point***, determining a time duration of an input signal for the input point the user is accessing, ***and upon expiration of the time duration, accessing the local language description of the user input point which corresponds to the user input point***, and ***thereafter displaying*** to the user the ***local language description of the user input point*** using the electronic display, as recited in combination with the other features and limitations of claim 11, as amended. As argued above, Matsuda is directed to a timer function for conserving battery power within a portable phone. Neither Akpa nor Matsuda teach or suggest method elements as recited by claim 11, as amended.

More to the point, there is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Matsuda, in order to arrive at the instant invention as recited by claim 11, as amended, as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary limitations. In view of the foregoing deficiencies of Akpa and Matsuda, and in further view of the requirements recited by MPEP 706.02(j) and MPEP 2143.03, the § 103 rejection of claim 11, as amended, is unsupportable and should be withdrawn.

For at least these reasons, the Applicant asserts that claim 11, as amended, is allowable. As claims 12-17 depend (directly or indirectly) from claim 11 (as

amended), it is axiomatic that they too are also allowable at least by virtue of their dependence from allowable claim 11, as amended, as well as for their own respectively patentable features and limitations.

Claim 18

The Applicant asserts that claim 18, as amended (and claims 19-20 that depend therefrom), are allowable. In regard to claim 18 (as amended), that claim includes the following features and limitations:

> A document processing apparatus comprising:
>
> a single display;
>
> a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;
>
> an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a local language;
>
> a processor configured to associate an input point signal from an input point with a corresponding description of the input point in the local language and thereafter to display the description on the display, wherein the processor is further configured to perform the association in response to the input point signal; and
>
> an electronic timer in communication with the processor, the electronic timer configured to determine time duration.
>
> (Emphasis added.)

Thus, the elements and limitations as recited by claim 18, as amended, are respectively and cooperatively configured such that the following usage sequence is performed, in order: 1) a user accesses a user-accessible input point; 2) that input point generates a corresponding input point signal; 3) the processor associates that input point signal with a corresponding description; and 4) that description is displayed to the user. Thus, under instant claim 18 (as amended), an assertive act is required of the user *prior to* displaying the corresponding description for a particular input point.

Akpa, on the other hand, fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to ***associate an input point signal from an input point*** with a ***corresponding description*** of the input point in the local language and ***thereafter to display the description on the display***, wherein the processor is further configured to perform the association ***in response to the input point signal***, as recited in combination with the other features and limitations of claim 18, as amended. Again, Akpa is directed to *simultaneously displaying* ***all*** key labels to a user – by way of the requisite and complex multi-LCD or overlay-and-LCD structure - prior to user actuation of a particular key or button. This is not the same as the subject matter as recited by claim 18, as amended.

Matsuda fails to cure the deficiencies of Akpa. Specifically, Matsuda fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to ***associate an input point signal from an input point*** with a ***corresponding description*** of the input point in the local language and ***thereafter to display the description on the display***, wherein the processor is further configured to perform the association ***in response to the input point signal***, as

recited in combination with the other features and limitations of claim 18, as amended.

There is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Matsuda, in order to arrive at the instant invention as recited by claim 18 (as amended), as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary limitations. In view of the foregoing deficiencies of Akpa and Matsuda, and in further view of the requirements recited by MPEP 706.02(j) and MPEP 2143.03, the § 103 rejection of claim 18, as amended, is unsupportable and should be withdrawn.

For at least these reasons, and for reasons substantially analogous to those argued above in regard to claims 1, 11 and 22, the Applicant asserts that claim 18, as amended, is allowable. It is axiomatic that claims 19-20 are also allowable at least by virtue of their dependence (directly or indirectly) from allowable independent claim 18 (as amended), as well as for their own respectively patentable features and limitations.

Claim 21

The Applicant asserts that claim 21, as amended, is allowable. In regard to claim 21 (as amended), that claim includes the following features and limitations:

> A document processing apparatus, comprising:
>
> a single display;
>
> a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;

an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;

a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and thereafter to display the description on the display for a preselected time;

[...].

(Emphasis added.)

The elements and limitations as recited by claim 21 (as amended) are respectively and cooperatively configured such that: 1) a user is required to access (i.e., actuate) a particular input point, in order to 2) cause the display of the description corresponding to that input point. This is not the same as *any* of the teachings or suggestions of Akpa.

More specifically, Akpa fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to associate ***an input point signal*** from an input point with a ***corresponding description*** of the input point in a preselected one of the plurality of languages and to ***thereafter*** to ***display the description on the display*** for a preselected time, as recited in combination with the other features and limitations of claim 21, as amended.

Fullerton fails to cure the deficiencies of Akpa. In particular, Fullerton fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to associate ***an input point signal*** from an input point with a ***corresponding description*** of the input point in a preselected one of the plurality of

languages and to ***thereafter*** to ***display the description on the display*** for a preselected time, as recited in combination with the other features and limitations of claim 21, as amended.

Rather, Fullerton is directed to a portable, foldable keyboard designed to interface with a personal digital assistant (PDA) (Abstract of Fullerton). Fullerton is not directed to providing descriptions corresponding to user-accessible input points in any way, or for any purpose. In fact, Fullerton is completely devoid of the terms "description", "label" or any of their respective equivalents, in any context analogous to the subject matter of claim 21, as amended.

There is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Fullerton, in order to arrive at the instant invention as recited by claim 21 (as amended), as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary limitations. In view of the foregoing deficiencies of Akpa and Matsuda, and in further view of the requirements recited by MPEP 706.02(j) and MPEP 2143.03, the § 103 rejection of claim 21, as amended, is unsupportable and should be withdrawn.

For at least these reasons, and for reasons substantially analogous to those argued above in regard to claims 1, 11, 18 and 22, the Applicant asserts that claim 21, as amended, is allowable.

Claim 24

The Applicant asserts that claim 24, as amended, is allowable. In regard to claim 24 (as amended), that claim includes the following features and limitations:

> A document processing apparatus, comprising:
>
> a single display;

a plurality of user-accessible input points configured to generate input point signals in response to being accessed by a user, wherein the display is distinct from any of the plurality of user-accessible input points;

an electronic readable memory device comprising descriptions of selected ones of the plurality of user-accessible input points in a plurality of languages;

a processor configured to associate an input point signal from an input point with a corresponding description of the input point in a preselected one of the plurality of languages and thereafter to display the description on the display for a preselected time, wherein the processor is further configured to perform the association in response to the input point signal; and

[...].

(Emphasis added.)

As argued above, Akpa fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate input point signals*** in response to being ***accessed by a user***, and a processor configured to ***associate an input point signal*** from an input point with a ***corresponding description*** of the input point in a preselected one of the plurality of languages and ***thereafter to display the description on the display*** for a preselected time, wherein the processor is further configured to perform the association ***in response to the input point signal***, as recited in combination with the other features and limitations of claim 24, as amended.

Fullerton fails to cure the deficiencies of Akpa. In particular, Fullerton fails to teach or suggest a plurality of ***user-accessible input points*** configured to ***generate***

input point signals in response to being ***accessed by a user***, and a processor configured to ***associate an input point signal*** from an input point with a ***corresponding description*** of the input point in a preselected one of the plurality of languages and ***thereafter to display the description on the display*** for a preselected time, wherein the processor is further configured to perform the association ***in response to the input point signal***, as recited in combination with the other features and limitations of claim 24, as amended.

There is no way to select elements from Akpa, and then to somehow combine those elements with other elements selected from Fullerton, in order to arrive at the instant invention as recited by claim 24, as amended, as no possible combination of Akpa and Matsuda teaches or suggests all of the necessary limitations. In view of the foregoing deficiencies of Akpa and Matsuda, and in further view of the requirements recited by MPEP 706.02(j) and MPEP 2143.03, the § 103 rejection of claim 24, as amended, is unsupportable and should be withdrawn.

For at least these reasons, and for reasons substantially analogous to those argued above at least in regard to claims 1 and 21, the Applicant asserts that claim 24 (as amended) is allowable.

Summary

The Applicant believes that this response constitutes a full and complete response to the Office Action dated August 26, 2005. Therefore, the Applicant respectfully requests reconsideration on the merits of claims 1-5, 8, and 10-24, as respectively amended, in favor of timely allowance.

(Continued on next page.)

The Examiner is respectfully requested to contact the below-signed representative if the Examiner believes this will facilitate prosecution toward allowance of the claims.

Respectfully submitted,

William L. CORNELIUS

Date: October 27, 2005 By _____

John S. Reid
Attorney and Agent for Applicant(s)
Reg. No. 36,369
Phone: (509) 534-5789